UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. LUIS RUIZ-LOPEZ, Defendant.	)	No. CR 11-00749 LHK STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING SENTENCING

STIPULATION

The United States, by and through Special Assistant United States Attorney Meredith J. Edwards, and defendant Luis Ruiz-Lopez, by and through Attorney Jay Rorty, hereby stipulate that, with the Court's approval, the sentencing hearing currently set for , December 12, 2012, at 9:00 a.m., shall be continued to February 13, 2012, at 9:00 a.m.

The continuance is requested to provide U.S. Probation with sufficient time prepare the draft pre-sentence report in this matter. Due to the change in defense counsel, U.S. Probation was not able to complete an interview with the Defendant in accordance with the ordinary pre sentence practice.. The continuance would provide both parties with the reasonable time necessary for effective preparation for sentencing. As the continuance is for sentencing and the case is post-trial, no exclusion from the Speedy Trial Act is required.

Dated: ___________, 2012

/s/
MEREDITH J. EDWARDS
Special Assistant United States Attorney

Dated:___________, 2012

/s/
JAY RORTY Attorney for Defendant

~~[PROPOSED]~~ ORDER

Pursuant to agreement and stipulation of the parties, the Court HEREBY ORDERS that the present sentencing date of December 12, 2012 be continued to February 13, 2012.

IT IS SO ORDERED.

DATED: 12/10/12

THE HONORABLE LUCY H. KOH
United States District Judge